

UNITED STATES PATENT AND TRADEMARK OFFICE

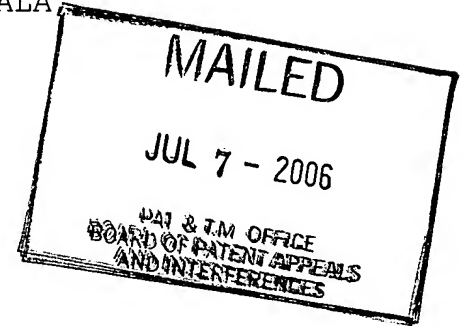
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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte LIGIA A. RIVERA, JOE CWIAKALA,  
JOHN EUGENE PELUSO,  
LEE DEMENY, (DECEASED),  
KAREN LEE DEMENY,  
WILLIAM ROBERT NEWMAN,  
YUNG HSIANG HUANG,  
MICHAEL JOHN FAULKS,  
STEVEN JOHN ROMME,  
and GERALD P. DEGREEN,

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Application No. 10/771,969

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on June 27, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

A Reply Brief was filed on May 26, 2006 in response to the Examiner's Answer mailed April 3, 2006. However, in accordance with the revision effective September 13, 2004, 37 CFR § 41.43 states:

. . . After receipt of a reply brief in compliance with [37 CFR] § 41.41, the primary examiner must acknowledge receipt and entry of the reply brief ....

A review of the application indicates that the reply brief has not been entered into PALM nor has it been considered by the examiner. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) for consideration of the reply brief filed May 26, 2006;
- 2) to have the reply brief filed May 26, 2006 entered into Patent Application Location and Monitoring System (PALM);
- 3) for written acknowledgment of entry of reply brief to the appellants; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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Deputy Chief Appeal Administrator  
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DMS/dal

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